

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
3:24-CV-00161-FDW-SCR**

MANISHABEN J. PATEL,
Plaintiff,

v.

MARTIN O'MALLEY,
Commissioner of Social Security.

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ORDER

THIS MATTER involves a Social Security case in which a consent judgment and order were entered reversing the Commissioner's Decision and remanding the case. Plaintiff has moved for attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412, in the amount of \$5,050.77. The Government has not opposed the Motion.

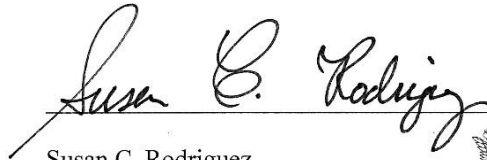
On the basis of Plaintiff's motion and supporting documents, **IT IS ORDERED** that the Commissioner of Social Security pay \$5,050.77 in attorney's fees in full satisfaction of any claim for fees, costs, and other expenses pursuant to EAJA. Full or partial remittance of the EAJA award will be contingent upon a determination by the Government that Plaintiff owes no qualifying, pre-existing debt(s) to the Government.

If Plaintiff has no outstanding federal debt, the Commissioner may honor any EAJA assignment that Plaintiff may provide and make the check(s) payable to Plaintiff's counsel. However, if Plaintiff has an outstanding federal debt, the Commissioner will make the checks payable to Plaintiff directly and deliver the check(s) to the business address of Plaintiff's counsel. The amount of EAJA award payable to Plaintiff will be the balance of EAJA award remaining

after subtracting the amount of Plaintiff's outstanding federal debt. This award will be paid directly to Plaintiff, Manishaben J. Patel, and sent to the business address of Plaintiff's counsel. If Plaintiff's outstanding federal debt exceeds the amount of the EAJA award approved pursuant to the Order, the amount of the EAJA award will be used to offset Plaintiff's federal debt and no EAJA award shall be paid.

SO ORDERED.

Signed: November 7, 2024


Susan C. Rodriguez
United States Magistrate Judge

